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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,206	03/24/2000	Shintaro Ichihara	Q58496	2978

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Washington, DC 20037

EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 10/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/534,206

Applicant(s)

ICHIHARA, SHINTARO

Examiner

TUAN HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. Claim 5 is objected to because of the following informalities: according to the specification, claimed "processing means" is a server that is disposed outside the camera and has a hard disk (second memory); therefore, the phrase "having a second memory" should read as "the processing means having a second memory". Appropriate correction is required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hull et al cited by Applicant (US 5,806,005).

With regard to claim 1, Hull et al discloses in Fig. 1, an image processing system that comprises digital camera having camera section (digital camera 20, col. 2, lines 2-11), first

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memory section (memory 24, col. 2, line 3), first processing means (CPU 52 of server 14 executes instructions from CPU 22 and command input 32 so as to send image data to a printer, col. 3., line 3 and col. 4, lines 15-45), second memory section (server 14 comprises image storage device 58, col. 2, line 35), second processing means (CPU 52 transmits image data to be printed to external printing devices; where each of the printing devices must inherently include a processing circuit that convert image data from CPU 52 into printing data so as to print it on a hard copy, col. 4, lines 1-45); communication apparatus having communication sections (modem 26, transmitter 28, cellular telephone network 16 and modem 56, col. 2, lines 14-45), and instruction means (command input 32 and CPU 22, col. 2, line 21).

With regard to claim 2, Hull et al discloses the print section (each of external printing devices 70 includes a processing circuit).

With regard to claim 5, Hull et al discloses in Fig. 1, a wireless digital imaging system that comprises camera section (digital camera 20, col. 2, lines 2-11), memory section (memory 24, col. 2, line 3), instruction means (command input 32 and CPU 22, col. 2, line 21), processing means (CPU 52 of server 14 executes instructions from CPU 22 and command input 32 so as to

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send image data to a printer, col. 3., line 3 and col. 4, lines 15-45), second memory (server 14 comprises image storage device 58, col. 2, line 35), and connecting section (modem 26, transmitter 28, cellular telephone network 16 and modem 56, col. 2, lines 14-45).

With regard to claim 6, Hull et al discloses in Fig. 1, a wireless digital imaging system comprising server 14 for processing image data from a digital camera in accordance with instructions that comprises camera section (digital camera 20 is disposed outside, col. 2, lines 2-11), reception means (cellular telephone network 16 and modem 56, col. 3., line 3 and col. 4, lines 15-45), memory section (server 14 comprises image storage device 58, col. 2, line 35), and output means (CPU 52 send image data to be printed to external printing devices 70; where the devices process image data so as to convert it into printing data and print on a hard copy in accordance with the instruction from digital camera 20, col. 4, lines 1-45).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time

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the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hull et al cited by the Applicant in view of Parulski et al (US 6,573,927).

With regard to claim 3, Hull et al discloses the same subject matter as discussed with respect to claims 1 and 2, except for the third memory for storing image data.

Hull et al does not explicitly disclose any processing means for processing the image data; however, Parulski et al teaches using printing system 14 that includes computer, image storage 52 and printers (col. 2, line 56, col. 3, line 65, col. 4, lines 43-67, and col. 5, lines 1-25); where the computer processes image data in accordance with instructions so as to store and print the data on a hard copy.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the external printer of Hull et al with the printing system of Parulski so as to obtain a processing circuit that processes image data from CPU 52 so as to print or store image data in image storage 52. This is because the substitution of the external printer of Hull et al with the printing system

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including a image storage device 52 of Parulski et al would provide a photo album and creative features to the image data.

With regard to claim 4, furthermore, Hull et al discloses a plurality of external printers (col. 4, lines 36-43). Therefore, there is inherently a selecting switch that is used to select a desired printer.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suzuki discloses an electronic camera including a printer.

Hsieh et al discloses a video camera that comprises a connecting bus.

Ishikawa discloses a video conferencing system that includes printer.

Parulski et al discloses a camera system including a printer.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan Ho whose telephone number is (703) 305-4943. The examiner can normally be reached on Monday-Friday from 7:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

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**Any response to this action should be mailed to:**

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Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal

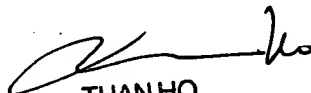
Park II, 2121 Crystal Drive, Arlington, VA, Sixth

Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

th

9/30/03

  
TUAN HO  
PRIMARY EXAMINER